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DATE 8/28/09 **UNITED STATES DISTRICT COURT**

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**WESTERN DISTRICT OF LOUISIANA**

**LAKE CHARLES DIVISION**

**BENJAMIN BLANCHE (AKA Benjamine Blanche) CIVIL ACTION NO. 08-1408**

**La. DOC # 132917**

**VS.**

**SECTION P**

**CHIEF JUDGE HAIK**

**WARDEN TIM WILKINSON**

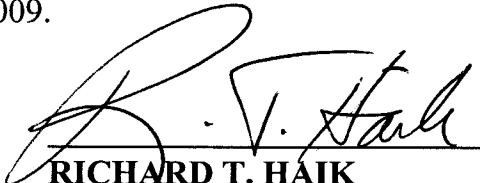
**MAGISTRATE JUDGE HILL**

**J U D G M E N T**

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly;

**IT IS ORDERED** that this petition for writ of *habeas corpus* is **DENIED AND DISMISSED WITH PREJUDICE** because petitioner's claims are barred by the one-year limitation period codified at 28 U.S.C. § 2244(d).

**THUS DONE AND SIGNED**, in chambers, in Lafayette, Louisiana, on this 28<sup>th</sup>  
day of August, 2009.

  
**RICHARD T. HAIK**  
**UNITED STATES DISTRICT JUDGE**